

FILED

SEP 16 2013

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
V.) CRIMINAL NO. P-13-MJ-630
)
KEVIN ANTHONY LUNA,)
)
Defendant.)

MOTION TO DETAIN

The United States Attorney moves the court to detain the above named defendant under the provisions of Title 18, United States Code, Section 3142(d) and/or (f) for the following reasons:

- (X) 1. A serious risk exists that the Defendant(s) will flee if released on bail;
- (X) 2. The Defendant(s) will pose a danger to the community;
- (X) 3. A serious risk exists that the defendant will obstruct or attempt to obstruct justice;
- (x) 4. This case involves a crime of violence in which the defendant participated or aided and abetted;
- () 5. This case involves an offense for which the maximum sentence is life imprisonment or death;
- () 6. This case involves an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, the Controlled Substances Import and Export Act, or the Maritime Drug Law Enforcement Act;

() 7. This case involves a felony and the defendant has been convicted of two or more offenses described in paragraphs 3, 4, and 5;

() 8. The defendant was, at the time of the offense, on release pending trial on a felony and may flee;

() 9. The defendant was, at the time of the offense, on release pending imposition, execution, or appeal of a sentence for an offense and may flee;

() 10. The defendant was, at the time of the offense, on probation or parole and may flee; or

() 11. The defendant is not a citizen of the United States or is not lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20) and may flee.

The United States Attorney moves the court to continue the detention hearing to enable the government to prepare evidence, to ensure the appearance of the United States Attorney at the detention hearing, and to allow time for the defendant's consultation with his attorney.

Wherefore, premises considered, the United States Attorney prays that a detention hearing be granted and that detention be granted.

ROBERT PITMAN
United States Attorney



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